US Army Corps of Engineers ®
Memphis District

ISSUE DATE: August 25, 2011

PUBLIC NOTICE

EXPIRATION DATE: September 6, 2011

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
AND STATE OF MISSOURI

Availability of Draft Environmental Assessment (EA), Draft Finding of No Significant Impact (FONSI), and 404 (b)(1) Evaluation

REPLY TO:
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JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources, Water Pollution Control Program, Post Office Box 176, Jefferson City, MO 65102-0176.

TITLE: Birds Point – New Madrid Floodway Levee Repair

AUTHORITY: This project is authorized by the Flood Control Act of 15 May 1928, Public Law No. 391-70, as amended and supplemented by subsequent Acts of Congress. The 1928 Flood Control Act authorized the MR&T Project, which included floodways for passage of excess flows past critical reaches of the Mississippi River.

LOCATION: The Birds Point – New Madrid (BPNM) Floodway is a flood risk management feature located along the right descending bank of the Mississippi River just below the confluence of the Ohio River in Mississippi and New Madrid Counties, Missouri. The BPNM Floodway encompasses approximately 200 square miles and is comprised of an approximately 56-mile long frontline levee and approximately 36-mile long setback levee extending south from their intersection at Birds Point, Missouri, to a 1,500-foot gap near New Madrid, Missouri. Record flooding in late April and early May 2011 resulted in operation of the BPNM Floodway. Operation of the BPNM Floodway occurred only one other time since its completion, during the flood of 1937. Three sections of the frontline levee were artificially breached with explosive charges, including: 1) the Inflow Crevasse (upper crevasse) across from Cairo, Illinois, 2) the Inflow/Outflow Crevasse No. 1 (middle crevasse) near Big Oak Tree State Park, and 3) the Inflow/Outflow Crevasse No. 2 (lower crevasse) near New Madrid, Missouri. The project features for the proposed repair, rehabilitation, and/or replacement of the crevassed sections of the frontline levee are shown in Figure 1.

Figure 1. Project features of the Birds Point – New Madrid Floodway Levee Repairs near the confluence of the Ohio and Mississippi rivers in Mississippi and New Madrid Counties, Missouri.

TO WHOM IT MAY CONCERN: Pursuant to Section 10 of the Rivers and Harbors Act, Sections 401 and 404 of the Clean Water Act (CWA), and the National Environmental Policy Act of 1969, as amended, the U.S. Army Corps of Engineers (USACE), Memphis District, is issuing this notice of the intention to repair crevassed sections of the frontline levee, returning the floodway to the full level of protection and functionality, and obtain water quality certification from the State of Missouri.

PURPOSE: The purpose of the levee repair is to manage flood risks in the BPNM Floodway associated with Mississippi River overbank flooding to a level that was afforded to the area prior to its operation.

ALTERNATIVES: Six alternatives were investigated for repair of the levee in the BPNM Floodway.

No Action. The no-action alternative is the future without project condition. This alternative consists of the conditions that would likely occur if no further action was performed to repair the crevassed frontline levee. Initial interim repairs of the frontline levee to an elevation of 51 feet on the Cairo Gage for both the upper crevasse and lower crevasse are underway and assumed to be completed for this alternative. Thus, the no action alternative includes the presence of the existing scour hole and breach in the frontline levee at the middle crevasse and a frontline levee elevation of 51 feet on the Cairo Gage at both the upper crevasse and lower crevasse. The Federal Government would acquire the tract(s) of agricultural land containing the footprint of the existing scour hole at fair market value from landowner(s). This no action alternative would not meet the intent of the Flood Act of 15 May 1928, Public Law No. 391-70, as amended and supplemented by subsequent acts of Congress. Water would enter through the middle crevasse in the BPNM Floodway during overbank flooding of the Mississippi River, and higher flood events would likely overtop the interim levees at the upper and lower crevasses. Much of the land near the lower crevasse would already be flooded from water entering the 1,500-foot gap once the interim levee was overtopped; however, most of the land near the upper crevasse would not be inundated. Most of the high water events would occur in the spring. During these flood events, water would inundate the predominantly agricultural lands near the upper crevasse, portions of the wooded lands in Big Oak Tree State Park and other surrounding agricultural lands near the middle crevasse, and the wooded lands in Donaldson Point Conservation Area and other surrounding agricultural lands near the lower crevasse. Scour and erosion would likely occur on remaining portions of the frontline levee, surrounding agricultural lands, and roads near the crevasses landside of the frontline levee. Slope failures would likely occur over time on the frontline levee. Additionally, damages to roads would likely increase. Future flood events would result in community fragmentation, property damage, losses of agriculture and agricultural dependent jobs, and associated income. Costs associated with these damages are estimated to be $4,824,000 annually. This alternative was determined to be unacceptable because of these risks and the extent of projected flood damages.

Floodway Buyout – Non-Structural Alternative. This alternative would be a non-structural alternative consisting of purchasing all lands and improvements within the BPNM Floodway. Congress would have to provide legislation that is signed into law giving USACE the authority to implement this alternative before the Federal Government would purchase the lands inside the floodway in fee simple title. Specific purchasing requirements would be based on the Congressional authorization. This alternative would likely result in a net loss of agriculture, agricultural dependent jobs, and associated income in the area; but it would provide an increase in forested lands and associated habitat for wildlife. Future damages to lands would be dependent on use. Community fragmentation is likely to occur. A buyout of the floodway would increase the quantity and quality of habitat within the BPNM Floodway for fish and wildlife and likely provide an increase in recreational opportunities. The total cost for the floodway buyout is approximately $582,000,000.

Gated Structures. This alternative would be a structural equivalent to the existing plan of operation for the BPNM Floodway. It would consist of an inflow structure at the upper end of the floodway (near Birds Point) and an inflow/outflow structure near the current location of lower crevasse. There would be no inflow/outflow structure near the current location of the middle crevasse; however, modifications to the floodwall at Hickman, Kentucky and a levee raise to the Fulton County, Kentucky – Reelfoot Lake, Tennessee, Levee would be required. Approximately 2,324,000 cubic yards of material would be required for these levee raises.

The inflow structure would be a vertical lift gate structure with a clear opening requirement of approximately 9,000 linear feet. A temporary cofferdam would be constructed around the inflow structure on the riverside of the levee to provide protection from Mississippi River flooding. Approximately 720,000 cubic yards of material would be required for construction of the cofferdam. Suitable material from the required degradation of the frontline levee at this location would be used to build the cofferdam, and the soils would be graded down and covered with riprap to prevent erosion upon completion. The cofferdam would be approximately 11,000 linear feet and have a crown width of 20 feet. The area of this cofferdam would be approximately 50 acres and require the removal of bottomland hardwoods along the riverside toe of the existing levee.

An inflow/outflow vertical lift gate structure would also be constructed near the current location of the lower crevasse. This vertical lift gate structure would extend approximately 5,000 linear feet. A slightly smaller gated structure extending approximately 3,000 linear feet could presently handle floodwaters during operation; however, this alternative required a design based on the assumption that the existing 1,500-foot gap at the extreme lower end of the floodway was not present. This assumption would allow the floodway to handle excess flows that would be present during operation if the gap was ever closed in the future. There is a separate but ongoing study, St. Johns Bayou and New Madrid Floodway Environmental Impact Statement, analyzing the potential for this closure. A more detailed discussion of this ongoing study is included in Section 4.14, Cumulative Impacts, in the draft EA. A temporary cofferdam would be required around the inflow/outflow structure on the riverside of the levee to provide protection from Mississippi River flooding. Approximately 450,000 cubic yards of material would be required for construction of the cofferdam. Suitable material from the required degradation of the frontline levee at this location would be used to build the cofferdam, and the soils would be

graded down and covered with riprap to prevent erosion upon completion. The cofferdam would be approximately 7,000 linear feet and have a crown width of 20 feet. The area of this cofferdam would be approximately 30 acres and require the removal of bottomland hardwoods along the riverside toe of the existing levee. These bottomland hardwoods are part of the Donaldson Point Conservation Area. The cost for construction of the gated structure, cofferdams, and levee work outside of the floodway is approximately $436,000,000.

The frontline levee at the middle crevasse location would be repaired and constructed to an elevation of 62.5 feet on the Cairo Gage. The levee crown would be constructed to a width of 25 feet and covered with aggregate surfacing to allow for transportation. Approximately 24,000 tons of riprap would be required to install a protection levee between the previous (1937) blue hole and existing scour at the middle crevasse. Also at the middle crevasse, a total of 540,000 cubic yards of additional fill material (clay and sand) would be required for filling the scour hole and for Phase 1 and Phase 2 construction of the levee to its previous height of 62.5 feet on the Cairo Gage. The final levee footprint would be approximately 8 acres, and it would be constructed with a riverside slope of 1V:4H and landside slope of 1V:5H. Approximately 2,000 tons of aggregate surfacing and 200 cubic yards of asphalt would be required for the levee road and the repair of County Road 502. Additionally, the portion of the lower fuseplug below the lower crevasse that was degraded due to overtopping would be repaired to its previous elevation of 303 feet NGVD, corresponding to 60.5 feet on the Cairo Gage. The linear length of this degraded section of the frontline levee is approximately 3,000 feet. Approximately 140,000 cubic yards of clay fill material would be required for repair of this section of levee. The levee crown would be 15 feet in width and covered with approximately 1,000 tons of aggregate surfacing to allow for transportation. Side slopes for this section of levee would be 1V:3H. The cost for the work at the middle crevasse is approximately $13,483,000.

The total cost for gated structures alternative is $ 449,483,000.

Frontline Levee Realignment. This alternative would consist of degrading five portions of the frontline levee to natural ground and constructing a new levee to confining grade with an alignment further landside of the Mississippi River. The new levee alignment would be at a distance far enough from the Mississippi River so that operation of the BPNM Floodway would not be necessary. Approximately 41.3 miles of the frontline levee would be degraded and approximately 24.7 miles of a new frontline levee would be constructed. Approximately 58.6 square miles (~29%) of the BPNM Floodway would no longer be confined by levees. This would result in more frequently flooded agricultural lands within this area. There would likely be a net loss of agriculture, agricultural dependent jobs, and associated income in the area but an increase in forested lands and associated floodplain habitat. The cost for this alternative is approximately $323,100,000.

Levee repairs on previous alignment at all three crevasses. This alternative would consist of construction of initial interim repairs at the middle crevasse prior to the next flood season, and construction of long-term repairs at each of the three crevasse locations in order to return the floodway to its full level of protection and functionality.

This alternative consists of filling the newly created scour hole at the middle crevasse and repairing the levee back on its original alignment (the alignment that existed prior to operation of the floodway) to an interim elevation of 51 feet on the Cairo Gage prior to the next flood season. Currently, the new scour hole to be filled is hydrologically connected to a blue hole from the 1937 operation of the floodway. The new scour hole is approximately 27 feet in average depth and approximately 9 acres in area. The Federal Government would acquire the tract(s) of agricultural land containing the footprint of the existing scour hole at fair market value from landowner(s). A barrier (rock protection levee) consisting of approximately 24,000 tons of R-200 riprap would be constructed between the scour hole and pre-existing blue hole to minimize impacts and allow for filling of the new scour. Approximately 400,000 cubic yards of fill material would be required to fill the new scour hole. This fill material would likely come from dredged material (mostly sands) from the Mississippi River. Dredged sand would be piped in from either just upstream of the Bend of Island No. 8 or from within the Bend of Island No. 8 (secondary channel), depending on locations of suitable sands, through the existing access lanes (for barging in explosives during operation of the floodway) riverside of the levee, and to the scour hole. Effluent from the dredging operations would be piped back adjacent to the same locations and discharged to the deeper portions of the Bend of Island No. 8. Additionally, sand from the large sand deposit adjacent to the scour hole could be used to fill the scour hole if deemed suitable material, or commercially available sand could be used. Approximately 50,000 cubic yards of clay fill material would be used to rebuild the levee to an interim elevation of 310.5 feet NGVD upstream to 310.0 feet NGVD downstream, corresponding to 51 feet on the Cairo Gage. The levee alignment would be the alignment that existed prior to operation of the floodway. The levee crown would have a width of 15 feet and would be covered with approximately 300 tons of aggregate surfacing to allow for transportation. A temporary gravel road requiring 600 tons of aggregate surfacing would also be installed at the toe of the levee replacing the damaged section of County Road 520 until the permanent repairs to the road are made. The impacts associated with filling the 9 acres of the existing scour hole will be mitigated by the creation of the approximately 10-acre permanent waterbody from the proposed riverside borrow area near the lower. The cost for this phase of construction would be $8,705,000.

Once the interim repairs are completed, work would begin on raising the frontline levee at each crevasse location to those elevations that existed prior to operation of the floodway, restoring the BPNM Floodway to its full level of functionality. The levees at each crevasse would be raised from their initial interim elevation of 51 feet to the pre-operation elevation of 62.5 feet on the Cairo Gage by installing a sand core levee capped with clay. This sand-core levee would allow for future operation of the BPNM Floodway at the same locations as presently are used (upper, middle, and lower crevasses) except where significant cultural resources must be avoided. Dredged sand from the Mississippi River would most likely be used for the sand cores supplemented with remaining sands from the large deposit at the middle crevasse and/or commercially available sand. A clay cap would be installed on top of the sand core of the levee followed by aggregate surfacing for stability and to allow for transportation along the levee crown. The levee would be constructed with a crown width of 25 feet, riverside slope of 1V:4H, and landside slope of 1V:5H. In the event that future operation of the BPNM Floodway is needed, explosives would be used to loosen the clay cap and allow for scouring of the sand-core levee during overtopping. A total of 1,070,000 cubic yards of fill material for the sand core and an additional 150,000 cubic yards of clay for the cap would be required to raise the levee from

the interim height of 51 feet on the Cairo Gage to the final design of 62.5 feet on the Cairo Gage at the three crevasse locations. Assuming a production rate of 12,000 cubic yards of dredged sand per day, a total of approximately 89 days of dredging would likely be required for constructing the sand core levees. Dredged sand would be piped in from the Mississippi River near the crevasse locations and effluent would be piped back into river. A total of approximately 12,100 tons of aggregate surfacing and 200 cubic yards of asphalt would be required for construction of the roads at the crevasse locations. Additionally, a portion of the lower fuseplug below the lower crevasse, which was degraded due to overtopping, would be repaired to its previous elevation using clay fill material. The linear length of this degraded section of the frontline levee is approximately 3,000 feet. This degraded levee will be reshaped and rebuilt to its previous height of 303 feet NGVD, corresponding to 60.5 feet on the Cairo Gage, with approximately 140,000 cubic yards of clay fill material. The levee crown would be 15 feet in width and covered with approximately 1,000 tons of aggregate surfacing to allow for transportation. Three proposed borrow areas have been identified for acquiring the clay fill needed for construction. Borrow for the upper crevasse would come from an existing spoil pile with little vegetation (various grasses) located approximately 7 miles from the upper crevasse. Borrow for the middle crevasse would come from approximately 15 acres of an agricultural field near Tenmile Pond Conservation Area. Borrow for the lower crevasse would come from an agricultural field riverside of the levee near the confluence of Mud Ditch and the Mississippi River. The total acreage for this riverside borrow area is approximately 31 acres; however, only approximately 10 acres will be excavated due to the required distances from the water's edge. This proposed riverside borrow area would revert into approximately 21 acres of wooded lands and an approximately 10-acre permanent waterbody riverside of the levee providing habitat for both aquatic resources and terrestrial wildlife. The cost for this phase of construction would be $21,185,000.

A total of 1,810,000 cubic yards of sand and clay fill material, 14,000 tons of aggregate surfacing for roads, 200 tons of asphalt for roads, and 24,000 tons of riprap for the protection levee would be required for this alternative. The overall cost of this alternative would be $29,890,000. Impacts to aquatic resources associated with filling the 9 acre scour hole at the middle crevasse would be mitigated by the approximately 10-acre permanent waterbody from the borrow area located riverside of the levee.

Levee repairs with a loop alignment around scour hole at middle crevasse. This alternative would be identical to Alternative 2.5 with the exception of a new levee alignment at the middle crevasse extending in a loop around the existing scour hole. The large scour formed from the recent crevassing of the frontline levee at the middle crevasse would be left in place, and the alignment of the levee would be built in a loop around the landside of this location. The Federal Government would acquire the tract of agricultural land for the new levee alignment at fair market value from landowner(s). This new scour hole covers approximately 9 acres in area and averages approximately 27 feet in depth. The hydrologic connection between the previous blue hole (1937) and this new scour hole would remain.

A total of 1,910,000 cubic yards of sand and clay fill material, 21,000 tons of aggregate surfacing for roads, and 1,000 tons of asphalt for roads would be required for this alternative. The linear length of the frontline levee at the middle crevasse would be longer than the alignment in

Alternative 2.5, resulting in greater amounts of fill material and associated borrow. The overall cost of this alternative would be $34,187,000.

The no action alternative was determined to be unacceptable because of the risks and extent of projected flood damages ($4,824,000 annually). Alternatives 2.5 and 2.6 were significantly less expensive than other alternatives. Alternative 2.5 would require approximately 100,000 cubic yards more of sand fill material (approximately 8 days more of dredging), but would require approximately 200,000 cubic yards less of clay fill material, would require approximately 22 acres less of agricultural lands being removed from production from the associated borrow, and would cost approximately $4,297,000 less than Alternative 2.6. This alternative would return the BPNM Floodway to the most similar condition to that which existed prior to operation of the BPNM Floodway. Alternative 2.5 offered the best compromise of environmental impacts and project costs, and thus was selected as the proposed action.

DESCRIPTION OF WORK: The proposed work for the repair, rehabilitation, and/or replacement of the crevassed sections of the frontline levee consists of rebuilding the levee at the middle crevasse to an interim elevation equivalent to 51 feet on the Cairo Gage by the next flood season and subsequently restoring the levee at each crevasse (upper, middle, and lower) to the elevations that existed prior to operation of the floodway (62.5 feet on the Cairo Gage). In order to rebuild the levee at the middle crevasse, the newly created scour hole at the middle crevasse will be filled, and the levee will be placed back on the alignment that existed prior to operation of the floodway. Currently, the new scour hole is hydrologically connected to a blue hole from the 1937 operation of the floodway. The new scour hole is approximately 27 feet in average depth and approximately 9 acres in area. A protection levee consisting of R-200 riprap stone would be constructed to separate the scour hole and blue hole and allow for filling of the new scour. A layer of sand would be deposited on the side of the rock barrier to minimize potential seepage through the rock and into the old blue hole during the fill operations. Fill material for the new scour hole would likely come from dredged material (mostly sands) from the Mississippi River. Dredged sand would be piped in from either just upstream of the Bend of Island No. 8 or from within the Bend of Island No. 8 (a secondary channel), depending on locations of suitable sands, through the existing access lanes riverside of the levee, and to the scour hole. Effluent from the dredging operations would be piped back through the same locations and discharged to the deeper portions of the Bend of Island No. 8. Additionally, sand from the large sand deposit adjacent to the scour hole could be used to fill the scour hole, if deemed suitable material, or commercially available sand could be used. Clay fill material would be used to rebuild the levee to an interim elevation of 310.5 feet NGVD upstream to 310.0 feet NGVD downstream, corresponding to 51 feet on the Cairo Gage.

Once the interim repairs are completed, work would begin on raising the frontline levee at each crevasse location to those elevations that existed prior to operation of the floodway, restoring the BPNM Floodway to its full level of functionality. The levees at each crevasse would be raised from their initial interim elevation of 51 feet to the pre-operation elevation of 62.5 feet on the Cairo Gage by installing a sand core within the center of the levee that is engineered for future operation of the floodway. This sand-core levee would allow for future operation of the BPNM

Floodway to include crevasses at the same locations as presently are used, except where significant cultural resources must be avoided. Dredged sand from the Mississippi River would most likely be used for the sand cores supplemented with remaining sands from the large deposit at the middle crevasse and/or commercially available sand. The sand fill material would be piped in from the Mississippi River near the crevasse locations and effluent would be piped and discharged back into river. A clay cap would be installed on top of the sand core of the levee followed by aggregate surfacing for stability and to allow for transportation along the levee crown. In the event that future operation of the BPNM Floodway is needed, minimal explosives would be used to loosen the clay cap and allow for scouring of the sand-core levee during overtopping. Additionally, a portion of the lower fuseplug below the lower crevasse was degraded due to overtopping and would be repaired to its previous elevation using clay fill material. This degraded levee would be reshaped and rebuilt to its previous height of 303 feet NGVD, corresponding to 60.5 feet on the Cairo Gage.

Three proposed borrow areas have been identified for acquiring the clay material needed for construction. Borrow for the upper crevasse would come from an existing spoil pile located approximately 7 miles from the upper crevasse. Only limited vegetation (various grasses) exists on this spoil pile. Borrow for the middle crevasse would come from approximately 15 acres of an agricultural field near Tenmile Pond Conservation Area. Borrow for the lower crevasse would come from an agricultural field riverside of the levee near the confluence of Mud Ditch and the Mississippi River. The total acreage for this riverside borrow area is approximately 31 acres; however, only approximately 10 acres will be excavated due to the required distances from the water's edge. This proposed riverside borrow area would revert into approximately 21 acres of wooded lands and an approximately 10-acre permanent waterbody riverside of the levee.

WATER QUALITY CERTIFICATION: By copy of this public notice, the USACE, Memphis District, is requesting §401 water quality certification, or waiver thereof, from the Missouri Department of Natural Resources, that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto.

SECTION 404 (b)(1) EVALUATION AND SECTION 10 OF THE RIVERS AND HARBORS ACT: The impact of the activity on the public interest is being evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899.

ENDANGERED SPECIES: The proposed project is not likely to adversely impact the endangered least tern, pallid sturgeon, or fat pocketbook pearly mussel. This project is being coordinated with the U.S. Fish and Wildlife Service. Any comments they have pertaining to endangered or threatened species, or fish and wildlife in general, will be considered in evaluating the described work. The least terns temporarily utilizing the sand deposit at the middle crevasse have departed. Dredging within the Mississippi River would be restricted from 1 April to 30

June during the potential spawning season of the pallid sturgeon to avoid any impacts to the species. Freshwater mussel surveys were conducted within the Bend of Island No. 8 in August 2011 and revealed no threatened or endangered mussels within the area.

CULTURAL RESOURCES: The Memphis District Archaeologist checked records for sunken vessels in the proposed dredging locations, and no records were found at the proposed locations. Since the recent operation of the BPNM Floodway, Native American skeletal remains in direct association with Mississippian pottery and chipped stone artifacts were discovered by USACE personnel at the upper crevasse after water had receded. Coordination with the Mississippi County coroner, Missouri SHPO, and several tribes has been ongoing since this discovery. The vertical and horizontal site boundaries of the site have been delineated, and the site is being preserved in place by site burial with fill material and by shifting the levee alignment immediately landside of this site. The Missouri SHPO and consulting tribes have endorsed this approach. Any future designs regarding operation of the BPNM floodway would include avoidance of crevasses that would impact the newly identified cultural resources site at the upper crevasse. A cultural resources survey was conducted on the borrow area for the lower crevasse, and no cultural resources were encountered. Results are being coordinated with the SHPO. Cultural resources surveys within the footprint of the proposed borrow area at the middle crevasse was conducted and coordinated with the SHPO in 2008. No significant cultural resources were found. Additionally, if cultural remains are encountered during construction, all work would stop in the affected area and consultation would take place.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the proposed activities and to solicit comments and information necessary to evaluate the probable impact on the public interest. The public review period is restricted to **10 days**. Comments must be received by September 6, 2011. Comments received after this date will not be considered.

The decision to proceed with this project will be based on an evaluation of the probable impact, including cumulative impacts, of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The potential benefits that reasonably may be expected to accrue from the activity must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the Corps of

Engineers to determine whether to modify or condition the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of the final environmental assessment and/or draft environmental impact statement pursuant to the National Environmental Policy Act and are also used to determine the overall public interest of the proposed activity. **The draft EA, draft FONSI, and Section 404(b)(1) Evaluation will be circulated to agencies and any other parties that respond to this notice requesting copies. Copies of these documents have been placed on the District's website at:**

http://www.mvm.usace.army.mil/regulatory/public-notices/pn.htm

PUBLIC HEARING: Any person may request in writing, within the comment period specified in this notice, that a public hearing be held to consider this proposed project. Requests for a public hearing shall clearly state the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed in order to reach a decision on the project.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on this proposal, contact Mark Smith at the U.S. Army Corps of Engineers, Environmental Compliance Branch (PB-E), 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone 901/544-0670. **Comments should be forwarded to this office by September 6, 2011.**

Sincerely,

Edward P. Lambert

Edward P. Lambert
Chief, Environmental Compliance Branch,
Regional Planning and Environmental Division South